

**WILLMAR CITY COUNCIL PROCEEDINGS**  
**BOARD ROOM**  
**HEALTH AND HUMAN SERVICES BUILDING**  
**WILLMAR, MINNESOTA**

November 15, 2021  
6:00 p.m.

The regular meeting of the Willmar City Council was called to order by the Mayor Marv Calvin. Members present on a roll call were Mayor Marv Calvin, Council Members Rick Fagerlie, Julie Asmus, Thomas Butterfield, Michael O'Brien, Justin Ask, Vicki Davis, Andrew Plowman, and Audrey Nelsen. Present 9, Absent 0.

Also present were City Administrator Leslie Valiant, Police Chief Jim Felt, Planning and Development Services Director Justice Walker, Interim Public Works Director Gary Manzer, City Clerk Judy Thompson, and City Attorney Robert Scott.

The following additions/deletions were made to the agenda: City Clerk Thompson asked the Special Assessment Hearing for Unpaid Fire Department False Alarm Charges be cancelled as the invoice has been paid, and; Agenda Item #10 Consider Project Funding and Approval for Downtown Streetscape Improvements be moved down on the agenda due to presenter arriving later in the meeting.

Council Member Fagerlie moved to approve the agenda, as amended. Council Member Asmus seconded the motion which carried, unanimously.

City Clerk Judy Thompson reviewed the consent agenda.

- A. City Council Minutes of November 1, 2021
- B. Willmar Municipal Utilities Commission Minutes of November 8, 2021
- C. Planning Commission Minutes of October 13, 2021
- D. Accounts Payable Report for October 28 – November 10, 2021
- E. Miscellaneous Finance Reports
- F. Building Report for the Month of October, 2021

Council Member O'Brien offered a motion to introduce **Resolution No. 2021-225 Approving Consent Agenda Items**. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Bolton and Menk Engineer and Interim City Engineer Jared Voge presented a request to approve Amendment No. 1 to the 2022 Improvement Projects professional services agreement with Bolton and Menk, Inc. in the amount of \$842,185. It was noted the change is necessary to include additional project areas.

Following discussion, **Resolution No. 2021-226 Accepting Contract Amendment No. 1 with Bolton and Menk, Inc. for the 2022 Construction Projects** was introduced by Council Member Davis. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Interim Public Works Director Manzer presented a request to approve Change Order No. 1 with TerWisscha Construction in the amount of \$31,083.49 for the Robbins Island Improvement Projects. It was noted the change is necessary per the building official and code requirements.

Following discussion, **Resolution No. 2021-227 Accepting Change Order No. 001 for the Robbins Island Improvement Project for the Amount of \$31,083.49** was introduced by Council Member Fagerlie. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Interim Public Works Director Manzer presented a request to approve Change Order No. 2 with Bolton and Menk, Inc. in the amount of \$49,445.00 for the Robbins Island Invest in Willmar Project. It was noted the change is necessary per the building official and code requirements.

Following discussion, **Resolution No. 2021-228 Accepting the Increase of \$49,445.00 to the Bolton & Menk Contract for Robbins Island Invest in Willmar Project** was introduced by Council Member Plowman. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Bolton and Menk Engineer and Interim City Engineer Jared Voge presented a request to approve Change Order No. 1 in the amount of \$9,000 for Project No. 2101-A 2nd Street Reconstruction. It was noted the change order is necessary due to additional work needed on Sanitary Manhole No. 3 at the intersection of Augusta Avenue and 2nd Street SE.

Following discussion, **Resolution No. 2021-229 Accepting Change Order No. 1 for Project No. 2012-A** was introduced by Council Member Plowman. Council Member O'Brien seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Bolton and Menk Engineer and Interim City Engineer Jared Voge presented a request to approve Project No. 2101-B Eagle Ridge Drive East Reconstruction Change Order No. 1 in the amount of \$57,842.90. It was noted the change order was due to various issues including driveway aprons replaced with exposed aggregate to match their existing material, changes to the original design of road grade and drainage issues.

Following discussion, **Resolution No. 2021-230 Accepting Change Order No. 1 for Project No. 2101-B** was introduced by Council Member Plowman. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 6, Noes 2. Council Members Butterfield and Nelsen voted "no".

Bolton and Menk Engineer and Interim City Engineer Jared Voge presented a request to approve Project No. 2110-A Downtown Sanitary Sewer Lining Change Order No. 2 in the amount of \$180 and accept the project to authorize final payment to Hydro-Klean in the amount of \$104,451.37.

Following discussion, **Resolution No. 2021-231 Accepting Change Order No. 2 for Project No. 2110-A** was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

**Resolution No. 2021-232 Accepting Project No. 2110-A and Authorizing Final Payment** was introduced by Council Member Fagerlie. Council Member Plowman seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Main Street Coordinator Willard Huyck and Bolton and Menk Landscape Architect Maddie Dahlheimer presented a request to approve the use of \$400,000 received from the Small Cities Development Grant for downtown streetscape improvements. These funds will be used to install sidewalk bump outs in downtown intersections.

Following discussion, **Resolution No. 2021-233 Approval of Funding for Downtown Streetscape Project** was introduced by Council Member Asmus. Council Member Ask seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Main Street Coordinator Willard Huyck and Bolton and Menk Landscape Architect Maddie Dahlheimer presented a request to approve authorizing Bolton and Menk to begin work on a final design and budget for the downtown streetscape project.

**Resolution No. 2021-234 Authorization to Enter Downtown Streetscape Final Design Phase** was introduced by Council Member Davis. Council Member Fagerlie seconded the motion which carried on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant presented a request to approve the budget as presented for the \$1,051,239 American Rescue Plan Funds received July 27, 2021. She also requested approval to enter into a contract with BergenKDV for planning and financial software project management.

Following discussion, Council Member Plowman offered a motion to authorize City Administrator to work on upgrading software for the City. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

**Resolution No. 2021-235 Authorization to Execute Agreement with BerganKDV for Project Management** was introduced by Council Member Plowman. Council Member Asmus seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant presented a request to adopt a resolution rescinding Resolution Nos. 2020-042 and 2020-043 Authorizing Agreements with RJM Construction and BKV Group for construction manager at risk and architectural services for a new City Hall/Community Center facility. It was noted the Council held a work session on November 9, 2021 to discuss the future of this project and a consensus was reached to rescind the contracts with both firms due to the time that has elapsed and allow staff to explore other site options.

Following discussion, **Resolution No. 2021-236 A Resolution to Rescind Previous Action Authorized in Resolution Nos. 2020-042 and 2020-043** was introduced by Council Member Asmus. Council Member O'Brien seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

City Administrator Valiant presented a request to adopt a resolution authorizing the City Administrator to request proposals for a staff needs analysis for both City Hall and Community Center for not-to-exceed cost of \$40,000 and direction to proceed with staff site analysis for both facilities.

Following discussion, **Resolution No. 2021-237 Resolution to Authorize the City Administrator Pursue RFP'S for Staff Needs Analysis for Both City Hall and Community Center and Proceed with Staff Site Analysis** was introduced by Council Member Asmus. Council Member Nelsen seconded the motion which carried, on a roll call vote of Ayes 8, Noes 0.

Mayor Calvin offered the following comments: commended Jon Lindstrom on the Veteran memorial display placed at the City Auditorium for Veteran's Day; "shout out" to Ridgewater College and Willmar High School sports programs; he received many positive comments on the play recently performed by Willmar High School students, and; "Celebrate the Light of the World" light display will begin Thanksgiving evening.

Council Member O'Brien offered the following comments: former City police officer Rick James passed away this morning and offered his condolences to his family.

Council Member Fagerlie offered a motion to adjourn the meeting with Council Member Asmus seconding the motion which carried. The meeting adjourned at 7:58 p.m.

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
SECRETARY TO THE COUNCIL

**RESOLUTION NO. 2021-225**  
**APPROVING CONSENT AGENDA ITEMS**

Motion By: O'Brien

Second By: Ask

WHEREAS, the City Charter for the City of Willmar requires the City Council approve all Consent Agenda items by resolution.

BE IT RESOLVED by the City Council of the City of Willmar Minnesota, that all Consent Items of the November 15, 2021 City Council meeting be approved as presented.

Dated 15th day of November, 2021

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2021-226**

**A RESOLUTION ACCEPTING CONTRACT AMENDMENT NO. 1 WITH BOLTON AND MENK, INC. FOR THE 2022 CONSTRUCTION PROJECTS.**

Motion By: Davis

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for the 2022 Construction Projects between the City of Willmar and Bolton and Menk, Inc. of Willmar, Minnesota by Contract Amendment No. 1 in the increased amount of \$842,185.

Dated this 15th day of November, 2021

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2021-227**

**A RESOLUTION ACCEPTING CHANGE ORDER NO. 001 FOR THE ROBBINS ISLAND IMPROVEMENT PROJECT FOR THE AMOUNT OF \$31,083.49.**

Motion By: Fagerlie

Second By: Nelsen

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for the Robbins Island Improvement Project in the amount of \$31,083.49 per change order #001.

Dated this 15<sup>th</sup> day of November, 2021

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2021-228**

**A RESOLUTION ACCEPTING THE INCREASE OF \$49,445.00 TO THE BOLTON & MENK CONTRACT FOR ROBBINS ISLAND, INVEST IN WILLMAR PROJECT**

Motion By: Plowman

Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized the increase of \$49,445.00 to the Bolton & Menk contract for Robbins Island, Invest in Willmar project.

Dated this 15<sup>th</sup> day of November, 2021

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2021-229**

**A RESOLUTION ACCEPTING CHANGE ORDER NO. 1 FOR PROJECT NO. 2101-A.**

Motion By: Plowman

Second By: O'Brien

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for Project No. 2101-A between the City of Willmar and Riley Bros. Construction, Inc. by Change Order No. 1 in the increased amount of \$9,000.

Dated this 15th day of November, 2021

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2021-230**

**A RESOLUTION ACCEPTING CHANGE ORDER NO. 1 FOR PROJECT NO. 2101-B.**

Motion By: Plowman

Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for Project No. 2101-B between the City of Willmar and Duininck, Inc. by Change Order No. 1 in the increased amount of \$57,842.90.

Dated this 15th day of November, 2021

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2021-231**

**A RESOLUTION ACCEPTING CHANGE ORDER NO. 2 FOR PROJECT NO. 2110-A.**

Motion By: Plowman

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a Municipal Corporation of the State of Minnesota, that the Mayor and City Administrator of the City of Willmar are hereby authorized to modify the contract for Project No. 2110-A between the City of Willmar and Hydro-Klean by Change Order No. 2 in the increased amount of \$180.00.

Dated this 15th day of November, 2021

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

**RESOLUTION NO. 2021-232**

**A RESOLUTION ACCEPTING PROJECT NO. 2110-A AND AUTHORIZING FINAL PAYMENT.**

Motion By: Fagerlie

Second By: Plowman

IMPROVEMENT: Project No. 2110-A- Downtown Sanitary Sewer Lining

CONTRACTOR:	Hydro-Klean
DATE OF CONTRACT:	June 7, 2021
BEGIN WORK:	June 28, 2021
COMPLETE WORK:	October 11, 2021
APPROVE, ENGINEERING DEPT:	October 29, 2021

**BE IT RESOLVED** by the City Council of the City of Willmar, Minnesota, that:

1. The said City of Willmar Project No. 2110-A be herewith approved and accepted by the City of Willmar.
2. The following summary and final payment be approved:

ORIGINAL CONTRACT AMOUNT:	\$195,922.00
FINAL NET CONTRACT AMOUNT, PROPOSED:	\$195,922.00
CHANGE ORDER NO. 1:	\$11,925.50
CHANGE ORDER NO. 2:	\$180.00
ACTUAL FINAL CONTRACT AMOUNT AS CONSTRUCTED:	\$208,027.50
Less Previous Payments	\$103,576.13
<b>FINAL PAYMENT DUE CONTRACTOR:</b>	<b>\$104,451.37</b>

Dated this 15th day of November, 2021

/s/ Marv Calvin  
Mayor

Attest:

/s/ Judy Thompson  
City Clerk

#### RESOLUTION NO. 2021-233

#### APPROVAL OF FUNDING FOR DOWNTOWN STREETSCAPE PROJECT

Motion By: Asmus Second By: Ask

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to approve the use of \$400,000 received from the Small Cities Development grant for downtown streetscape improvements.

Dated this 15th day of November, 2021.

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK



**RESOLUTION NO. 2021-234**

**AUTHORIZATION TO ENTER DOWNTOWN STREETScape FINAL DESIGN PHASE**

Motion By: Davis

Second By: Fagerlie

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that Bolton & Menk are authorized to begin work on a final design and budget for the downtown streetscape project.

Dated this 15th day of November, 2021.

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2021-235**

**AUTHORIZATION TO EXECUTE AGREEMENT WITH BERGANKDV  
FOR PROJECT MANAGEMENT**

Motion By: Plowman

Second By: Asmus

BE IT RESOLVED by the City Council of the City of Willmar, a municipal corporation of the State of Minnesota, that the Mayor and City Administrator be authorized to enter into an agreement between the City of Willmar and BergankDV to provide professional services for planning and financial software project management as outlined in their proposal and estimated between \$20,000 - \$30,000 based on the systems selected..

Dated this 15th day of November, 2021

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2021-236**

**A RESOLUTION TO RESCIND PREVIOUS ACTION AUTHORIZED IN  
RESOLUTION NOS. 2020-042 AND 2020-043**

Motion By: Asmus

Second By: O'Brien

WHEREAS, the City Council of the City of Willmar adopted resolutions on March 2, 2020 to authorize the Mayor and City Administrator to enter into two agreements between the City of Willmar and BKV Group for architectural services and RJM Construction for Construction Manager at Risk for a joint City Hall/Community Facility.

BE IT RESOLVED by the City Council of the City of Willmar that both resolutions and their authorized actions be rescinded effective this date.

Dated this 15th day of November, 2021

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK

**RESOLUTION NO. 2021-237**

**RESOLUTION TO AUTHORIZE THE CITY ADMINISTRATOR PURSUE RFPs FOR STAFF NEEDS ANALYSIS FOR BOTH CITY HALL AND COMMUNITY CENTER AND PROCEED WITH STAFF SITE ANALYSIS**

Motion By: Asmus Second By: Nelsen

WHEREAS, the City Council of the City of held a Work Session on November 9, 2021 to discuss action plans and;

WHEREAS, consensus was reached by the Council to authorize the City Administrator pursue RFP's for a staff needs analysis for both a City Hall and Community and to empower staff to proceed with a site analysis for both facilities.

BE IT RESOLVED by the City Council that the City Administrator is authorized to proceed with said RFP's not-to-exceed \$40,000 and direct staff to initiate site selections to be brought before Council.

Dated this 15th day of November, 2021

/s/ Marv Calvin  
MAYOR

Attest:

/s/ Judy Thompson  
CITY CLERK